

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MAINE**

JO JORGENSEN, et al.,

Plaintiffs

v.

MATTHEW DUNLAP, et al.,

Defendants.

CIVIL ACTION NO. 1:20-cv-00272-NT

STATUS REPORT

Defendant Secretary of State Matthew Dunlap, through undersigned counsel, hereby reports the following to the Court relating to the status of this action:

1. On July 31, 2020, the plaintiff, Jo Jorgensen, who is the national Libertarian Party candidate for U.S. President, filed this action against the defendant, Secretary of State Matthew Dunlap (Secretary), in his official capacity, along with a motion for preliminary injunction to enjoin the Secretary from enforcing the statutory requirement for non-party candidates to obtain a minimum of 4,000 valid signatures of Maine registered voters on a nomination petition for a slate of presidential electors in order to qualify for the general election ballot in November 2020. Plaintiff's Complaint (ECF 1); *see* 21-A M.R.S. § 354(5)(A).

2. The Court held a telephone conference with the parties on the morning of Monday, August 3, 2020, to set a schedule for the preliminary injunction motion. Plaintiff's counsel reported that the candidate planned to submit nominating petitions to the Secretary later that day, and counsel for the Secretary indicated that it would be a few days before the Secretary's office could complete its review to determine the validity of those petitions. The Court asked to be

informed if the Secretary determined that the candidate had qualified for the November general election ballot.

3. Before the close of business on August 3, 2020, which was the statutory deadline pursuant to 21-A M.R.S. §§ 6 & 354(8-A), the plaintiff submitted her nominating petitions to the Secretary.

4. Earlier today, the Secretary confirmed that the plaintiff's nominating petitions do contain a sufficient number of valid signatures to qualify her for the ballot. *See* Letter from Deputy Secretary of State Julie L. Flynn, attached hereto as Attachment A.

5. The undersigned counsel for the Secretary immediately notified plaintiff's counsel, who has since confirmed to the undersigned counsel that plaintiff intends to dismiss this action.

6. Based on the foregoing, the defendant does not intend to file an opposition to the motion for preliminary injunction.

Dated: August 10, 2020

Respectfully submitted,

AARON FREY
ATTORNEY GENERAL

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